

REMARKS

This paper is in response to the Office Action of November 9, 2005 and the Examiner is thanked for the careful review of this Application. Applicant have amended claims to better define the claimed invention. Claim 21 has been canceled. The amendments do not introduce new matter.

Status Of Claim For Priority in the Application

Applicant claims priority based on an application filed September 6, 2000 (Foreign Priority 02256209.4). Applicant is submitting a certified copy of the application with this paper.

Claim Rejections Under 35 U.S.C. § 112

Claims 2-8 and 10-13 were rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2-8 and 11-13 were rejected because it was unclear if the controller of claim 1 was the same as the memory controllers in the dependent claims. Claim 1 has been amended so that the controller of claim 1 is clearly identified as a first controller which is distinct from the memory controllers recited in the dependent claims. Claims 2-8 and 11-13 have been amended to reference the first controller distinctly from memory controllers as appropriate to resolve the ambiguity.

Claim 10 was rejected because the claim on which claim 10 depends does not prohibit a computer from doing the recited acts. Applicant have amended claim 10 to remove the unclear words.

With these amendments, Applicant respectfully requests that the claim rejections under 35 U.S.C. § 112 be removed.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1-4, 9-10, and 17-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No 6,408,369 Garret et al (Garret). Applicant respectfully traverses the rejections.

Garret discloses a storage system which provides a method of transferring data from a first storage device to a second storage device. Garret's teachings are directed to transferring data from persistent storage devices such as tape devices and hard disk controllers (Figure 1). This is not the same as Applicant's claimed invention because independent claims 1 and 22 copy data from a first RAM memory location to a second RAM memory location. RAM memory is a form of memory used as the main memory of a computer system for the volatile storage of data. RAM memory is a memory device which is not used for persistent storage of data. In Garret, the storage devices are not RAM memory and Garret's controller transfers data between persistent storage devices like tape storage and disk drives. Applicant's claimed invention includes RAM memory and a first controller which is capable of copying data from a first random access memory location to a second random access memory location. Therefore, the memory and controller disclosed by Garret are different from those defined by Applicant's claimed invention.

Further, Garret teaches that the controller receives data from a persistent storage, temporarily transfers the data to a global memory, and then transfers the data to a second persistent device. Accordingly, Garret's controller does not copy data from a first RAM memory location to a second RAM memory location. Applicant's claimed invention copies data from a first RAM memory location to a second RAM memory location not to a persistent storage. Applicant's claimed invention works in situations where data flow is stored in one region of RAM memory such as from data received over a network communication process and then copied elsewhere to be made available for an application. Garret would not be able to be able to make such a copy in RAM memory.

For at least the reasons discussed above, Applicant respectfully submit that the dependent claims are distinguished from the cited art and requests that the 35 U.S.C. §102(e) rejections be removed.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 5-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garret in view of Busser et al (US 6,732,243). Claims 11-12 and 26-27 were rejected over Garret in view of O'Brien et al (US 6,038,639). Claims 12 and 28 were rejected over Garret in view of Kinjo et al (US 5, 701,437). Claims 14-16 and 29-30 were rejected over Garret in view of Bailey (US 5,802,559). Applicant respectfully traverses these rejections.

For at least the reasons provided above with the discussion of the 35 U.S.C. §102(e) rejections of the independent claims, the cited prior art does not suggest or disclose each and every feature of the claimed invention. Therefore, Applicant respectfully request the Examiner to withdraw the Section 103 rejections to the dependent claims.

Accordingly, Applicant respectfully request a Notice of Allowance based on the foregoing remarks. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6911. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP438). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

A handwritten signature in black ink, appearing to read 'Paul Link', with a stylized flourish at the end.

Paul Link
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